

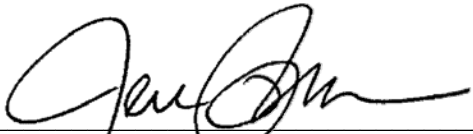
there is serious doubt whether this lawsuit was properly filed on Ms. Gilliam's behalf in the first instance. Accordingly, the Court concludes that it would be unjust and improper to dismiss the case as to her with prejudice and, thus, dismisses her claims *without* prejudice.

By contrast, in light of Defendant Kirschenbaum & Phillips, P.C.'s objection, and the bases for that objection, the Court will not dismiss Mr. Gilliam's claims unless such dismissal is *with* prejudice. If Mr. Gilliam objects to dismissal on those terms, he shall file a letter to that effect by **February 15, 2023** — in which case the litigation will proceed through either settlement or a final judgment. If Mr. Gilliam does not file a letter by that deadline (or indicates in a letter that he consents to dismissal with prejudice), the Court will dismiss his claims with prejudice without further notice. In light of the foregoing, **the telephone conference scheduled for February 13, 2023, at 4:00 p.m. is adjourned *sine die*.**

The Clerk of Court is directed to mail a copy of this order to Laura A. Gilliam and to terminate her as a party in the case.

SO ORDERED.

Dated: February 8, 2023
New York, New York



JESSE M. FURMAN
United States District Judge